

December 15, 1958

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CONCORD, N.H.

Cecilia Sinclair, Director of Nursing Education
State Board of Education
State House Annex
Concord, New Hampshire

Dear Madam:

This is in reply to your letter of December 10, 1958 in which you inquire to what extent the "previous complete authority" of the State Board of Nursing Education and Nurse Registration has been curtailed as a result of the insertion of the words "subject to the supervision of the state board of education" in the last sentence of RSA 326:1, which last sentence now reads as follows:

"The board, subject to the supervision of the state board of education, shall be responsible for the direction and supervision of nursing education in all the schools of nursing in the state." See RSA 326:1 (supp)

The words, "subject to the supervision of the state board of education" were added by virtue of Section 1, Chapter 195 of the Laws of 1957.

As a result of this amendment it is our view that the activities of the State Board of Nursing Education and Nurse Registration in the field of nursing education, are now subject to review by the State Board of Education, and in the event a difference of opinion as to policy should arise that the opinions of the State Board of Education will control. In brief, we believe it was the purpose of this amendment to give the State Board of Education the power of veto over the State Board of Nursing Education and Nurse Registration in the field of nursing education.

We believe that that the Board of Nursing Education and Nurse Registration still has original jurisdiction in the field of nursing education, but that the State Board of Education by virtue of the 1957 amendment now has the authority to direct the State Board of Nursing Education and Nurse Registration to pursue or not to pursue a particular course of conduct in the field of nursing education.

We do not mean to imply that all decisions and activities of the State Board of Nursing Education must first be submitted to the State

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Cecilia Sinclair, Director of Nursing Education

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Board of Education for its approval. We do feel, however, that the State Board of Education now has the power if and when it chooses to exercise it, to reverse, alter or amend the decisions of the State Board of Nursing Education and Nurse Registration in the field of nursing education.

We realize that this letter will not be sufficient to answer all questions that may arise in the future with respect to the relationships of the two boards. If you have some specific problem we would be glad to furnish such assistance as may be indicated.

Very truly yours,

GTR,Jr/m

George T. Ray, Jr.
Assistant Attorney General